

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13th DAY OF JUNE 2005, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Gary D. Creed	-Chair
	Steve L. Spradlin	-Vice Chair
	Mary W. Biggs	-Supervisors
	Doug Marrs	
	John A. Muffo	
	Annette S. Perkins	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	Martin M. McMahon	-County Attorney
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Chair called the meeting to order and the Pledge of Allegiance was recited.

PUBLIC HEARING

American Electric Power Right-of-Way Easement - Meadowbrook Public Library

American Electric Power requests a right-of-way easement at 267 Alleghany Springs Road, Shawsville, Virginia, in order to install an underground utility line to serve the Meadowbrook Public Library.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Marty Gordon addressed the Board on several issues. As Vice-President of the Pulaski County Chamber of Commerce, Mr. Gordon invited the Board of Supervisors to a luncheon on June 20, 2005 at 12:00 noon at Pulaski Calfee Park to welcome the Pulaski Bluejays. They want to emphasize that the Pulaski Bluejays are a regional team and not just a Pulaski team.

Mr. Gordon also spoke on the Great American Yard Sale. Pulaski is hosting a Great American Lee Highway Yard Sale as part of the Great American Yard Sale on June 24 – 26, 2005. It will stretch from Winchester, Virginia to Johnson City, Tennessee. So far five communities have signed on, including the city of Radford. They are encouraging any community along Lee Highway and US 11 to have a yard sale. They are not anticipating a large community effort this year but hopefully it will become a huge event over the next few years.

Mr. Gordon also spoke about the possibility of constructing a memorial site at the courthouse for fallen law enforcement officers. He would like to see some type of statue/sculpture or memorial constructed in this area. He urged the Board to consider leaving enough greenspace at the courthouse during renovations for a memorial site.

Mr. Gordon expressed concern with the holding of closed meetings during the end of the Board of Supervisors meetings. He asked the Board to consider holding the closed meetings at the beginning of the meetings in order for the public to be in attendance if any action is taken afterwards.

Michael Hemphill spoke in support of providing additional funding to the Meadowbrook Public Library for furnishings.

Kelly Brennan urged the Board of Supervisors to consider providing funding for the Riner Cannery for the upcoming year. Mr. Brennan thanked the County Administrator and the Assistant County Administrator for their help and support in providing information about the cannery to the Board.

Dusty Cromer and Irvin White addressed the Board and asked for their support and possible donation to the New River Valley Comets, AAU Basketball. The NRV Comets have qualified to compete at the Division II AAU National Tournament in Memphis, Tn., June 26 – July 3, 2005. Any donation to the NRV Comets would help cover the costs of the tournament entry fees, transportation, lodging and meals.

DELEGATION

Eastern Montgomery County Service Providers Coalition

James Pritchett, Eastern Montgomery County Service Providers Coalition (EMSPC), addressed the Board of Supervisors in regard to transportation needs in eastern Montgomery County. EMCPC has met with the New River Planning District Commission and Pulaski Area Transit to discuss various transportation options available to the eastern area of Montgomery County. Options discussed were accessing the SmartWay Bus, pick-up location at the Meadowbrook Library facility, and developing a curb-to-curb service.

With the help of the New River Planning District Commission, EMSPC developed a transportation survey in an attempt to determine the extent of transportation needs. Distribution of the survey included door-to-door, through schools and churches, area craft fairs, and via the PDC's web site. Over 150 surveys were distributed, with 95 responses.

As a result of the survey, EMSPC recommends a curb-to-curb service be piloted in eastern Montgomery County. The pilot would provide the opportunity to gather additional information about transportation and provide an existing need. EMSPC has met with Gary Heinline, Pulaski Area Transit, to discuss the possibility of Pulaski Area Transit providing transportation for this pilot program. Pulaski Area Transit is willing to provide this service. The pilot program would be that of a demand program and would only be provided up to 10 hours per week. The estimated cost for one year is \$13,000 and estimated revenue generated from user fees is \$2,600. Should this pilot program be successful the Pulaski Area Transit could apply for grants to help continue this program with a local match of at least 35%.

Mr. Pritchett asked the Board to consider financially supporting a pilot program to provide transportation to eastern Montgomery County, utilizing Pulaski Area Transit and New River Valley Senior Services, Incorporated.

The Board of Supervisors directed Mr. Pritchett to contact Dan Brugh, Director of the Metropolitan Planning Organization (MPO), as the MPO handles transportation needs in Montgomery County.

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Virginia Department of Transportation
2. Meadowbrook Library Furnishings
3. Ellett Valley Loop Trail

The vote on the foregoing motion was as follows:

AYE

Mary W. Biggs
Doug Marrs
Steve L. Spradlin
Annette S. Perkins
James D. Politis
John A. Muffo
Gary D. Creed

NAY

None

Virginia Department of Transportation

David Clarke, VDOT Resident Engineer, provided an update on several road concerns. A 45 mph hour sign with a dangerous curve warning was installed on Meadowcreek Road and patch work has been completed. A speed study was conducted in the business district on Rt. 8, the results are not available yet. Also a “no left turn” sign was installed at Sheetz Gas Station turning onto N. Franklin Street.

Mr. Clarke reported that the approved Six Year Road Plan for Primary and Interstate Roads should be available soon.

Supervisor Politis requested that VDOT review the need for a signal light at the Fairview Church Road and Rt. 8 intersection. Mr. Clarke stated that new construction in the area should warrant a new study. Also, Supervisor Politis asked that the speed study on Rt. 8 begin at the Auburn Hills Golf Course and end at Riner Small Engines.

Supervisor Perkins thanked VDOT for the clean up on the 460 by-pass; however, there is still an area at the Blacksburg exit that still need to be cleaned and mowed. Mr. Clarke explained this area is in the corporate limits of the Town of Blacksburg and the Town is responsible for the maintenance. Supervisor Perkins requested this issue be added to the next County/Town Liaison agenda.

Supervisor Spradlin requested that mowing be done on the secondary roads. The overgrown banks are beginning to be a safety hazard. He also requested an update on the request to lower the speed limit on Sterling Drive. VDOT has recommended that the speed limit on Sterling Drive not be reduced or posted. Supervisor Spradlin expressed concern that this road is not suitable to drive 55 mph.

Supervisor Spradlin requested VDOT to review the intersection of Mt. Zion Road and Poverty Creek Road. There is a dangerous curve with a hidden entrance at the Mt. Zion Church. A serious accident occurred there a few weeks ago.

Supervisor Marrs requested an update on Crab Creek Road and when upgrading will begin. Mr. Clarke reported that the environmental study for the permit is ongoing. The actual construction may not commence for some time, until all necessary permits are issued.

Supervisor Creed requested an update on the request for a crossover median on US 460/Rt. 11. Mr. Clarke reported that VDOT has reviewed all the medians on US 460/Rt. 11 in the Shawsville area. They will be recommending the closing of certain crossovers and the additions of others. VDOT cannot add a median without looking at the entire area due to the narrowness of the road. Any new medians would have to comply with current VDOT standards while some of the existing medians do not.

Meadowbrook Library Furnishings

The County Administrator provided an update on the furnishings for the Meadowbrook Public Library. He is still working with the Library Management Team to assess the need of furnishings for the library. A grant application in the amount of \$50,000 has been submitted and if the County is awarded the grant, it will assist in the purchase of furniture for the library.

A copy of computer needs and a list of furniture needs for the library have been provided by the Library Management Team for the Board's review. Total cost for computers is estimated at \$28,240 and total cost for furniture is \$250,026. Several Board members expressed concern that the Library Board has not received a copy of the furniture list. The Board asked if the list of furniture is what is essential or just a needs list. The County Administrator was instructed to request the Library Board to provide a priority list of furniture, listing only bare essentials to open the library in October 2005.

Ellett Valley Loop Trail

Montgomery County Parks & Recreation Director, Bill Sgrinia, presented an update on the proposed Ellett Valley Loop Trail. The Town of Blacksburg and Montgomery County have been working together to plan a loop trail through the Town of Blacksburg and Montgomery County through Cedar Run and Ellett Valley. The Town of Blacksburg was looking into the possibility of selling Town owned properties that were located in the County, two on Cedar Run and one on Jennelle Road. A County resident proposed a loop trail linking these properties with the County. Virginia Tech's Community Design Assistance Center (CDAC) was hired to develop a proposed design of a loop trail. CDAC will begin writing grants for the Loop Trail in late summer 2005. The Loop Trail will be constructed in four sections, and the routes are only proposed routes to date. The route may change accordingly if easements cannot be secured from landowners. The next phase is to survey and obtain easements, secure funding and then construction of each section of the trail.

OUT OF WORK SESSION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Gary D. Creed	

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Consent Agenda dated June 13, 2004 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Gary D. Creed	

Approval of Minutes

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the minutes dated April 25, 2005, May 9, 2005 and May 23, 2005 were approved.

A-FY-05-111 EMERGENCY SERVICES COORDINATOR GRANTS

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

Emergency Services Coordinator Grants	\$2,000
---------------------------------------	---------

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

02111-424401 State Grants	\$2,000
---------------------------	---------

Said resolution appropriates Emergency Services Grant funds to update the LCAR report.

**A-FY-06-02
FLOYD LIBRARY
FY 05-06 APPROPRIATION**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006 for the function and in the amount as follows:

720 Floyd Library	\$183,010
-------------------	-----------

The sources of funds for the foregoing appropriation are as follows:

Revenue Account

416156 Floyd County Reimbursement	\$130,788
416157 Town of Floyd Contribution	\$2,000
416151 Fines and Fees	\$10,000
424409 State Library Grant	<u>\$ 40,222</u>
TOTAL	\$183,010

Said resolution provides the appropriation for the operation of the Floyd Library with Floyd residents and the state providing the funding.

**A-FY-05-113
LIBRARY
APPROPRIATION ADJUSTMENT**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund appropriation was reduced for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

710 Montgomery Library	(\$1,344)
720 Floyd Library	<u>(\$ 46)</u>
Total	(\$1,390)

The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

02710-424401 State grants	(\$1,344)
02720-424401 State grants	<u>(\$ 46)</u>
Total	(\$1,390)

Said resolution adjusts the appropriation for use by the Library.

**A-FY-05-114
OFFICE OF YOUTH
SUPPLEMENTAL APPROPRIATION**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

520	Human Services	\$ 600
-----	----------------	--------

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

413300	User Fees	\$ 600
--------	-----------	--------

Said resolution appropriates user fees generated from Virginia Juvenile Community Crime Control service cases that are not eligible for grant funds.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Gary D. Creed	

A-FY-05-115
SHERIFF
RECOVERED COSTS

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

310	Sheriff – Comp Board	\$3,669
321	Sheriff – Grants	<u>1,135</u>
	Total	\$4,804

The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
441101	Insurance Recoveries	\$3,669
424401	Project Lifesaver	<u>1,135</u>
	Total	\$4,804

Said resolution appropriates insurance recoveries and Project Lifesaver funds.

A-FY-05-116
SCHOOL OPERATING FUND
SUPPLEMENTAL APPROPRIATION

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

09	School Operating Fund	
	61000 Instruction	\$115,545
	62000 Administration	53,663
	63000 Transportation	210,000
	64000 Operations and Maintenance	<u>259,456</u>
	Total	\$638,664

The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account:</u>		
09	State Revenue	\$263,663
09 419101	Project Hope Grant	13,330

09 433203	Pre-School Mini Grant	83,598
09 433203	Sliver Grant	18,617
09 424276	Technology Grant	<u>259,456</u>
	Total	\$638,664

Said resolution appropriates additional funds for the School Operating Fund.

A-FY-05-117
MEDICAL EXAMINER
TRANSFER FROM GENERAL CONTINGENCIES

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$1,000)
-----	-----------------------	-----------

TO:

910	Outside Agencies – Medical Examiner	\$1,000
-----	-------------------------------------	---------

Said resolution transfers appropriated funds from General Contingencies to Medical Examiner to cover invoices received from the state for the Medical Examiner.

A-FY-05-118
FIRE & RESCUE
TRANSFER FROM GENERAL CONTINGENCIES
INSURANCE

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$6,700)
-----	-----------------------	-----------

TO:

330	Fire and Rescue	\$6,700
-----	-----------------	---------

Said resolution transfers appropriated funds from General Contingencies to Fire and Rescue to cover the cost of insurance.

R-FY-05-240
ADDITION TO VDOT's SECONDARY SYSTEM
OF STATE HIGHWAYS
LUBNA DRIVE (SR 1296)

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, The street described below is shown on a plat in the Clerk's Office of the Circuit Court and currently serves at least 3 families per mile; and

WHEREAS, The Virginia Department of Transportation has deemed this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia; and

WHEREAS, After examining ownership of all property abutting the street, this Board finds that speculative interest does not exist.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia requests the Virginia Department of Transportation to add the following street to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia:

ADDITION:
Gulburg Estates

<u>Name of Street:</u>	<u>Length</u>
Lubna Drive (SR 1296)	
From: SR 1296 End of State Maintenance	0.36 mi
To: Cul-de-sac	
Plat Recorded: July 28, 1976	
Plat Book: 8 Page:126	

BE IT FURTHER RESOLVED, The Board guarantees a clear and unrestricted right-of-way of 50', as described, and any necessary easements for cuts, fills, and drainage; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

OLD BUSINESS

R-FY-05-241 SPECIAL USE PERMIT NATHANIEL HAILE

On a motion by Steve L. Spradlin, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Nathaniel Haile request for a special use permit in Agriculture (A-1) to allow a landscape contractor's equipment storage yard, is hereby approved subject to the following conditions:

1. Special Use Permit authorizes use of property for landscaping contractor's storage yard and residential use only. No retail sales of any nature shall occur on site.
2. Non-family employees shall be limited to six (6) full-time and eight (8) part-time. Property shall contain no more than ten (10) employee vehicles and ten (10) pieces of landscaping equipment at any time. There shall be no office established on site.
3. Hours related to the business shall be limited to 7:30 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 1:00 p.m. on Saturdays. No work or business related traffic shall occur beyond these hours or on Sundays.
4. Onsite fuel storage tanks shall meet all Federal and State containment Regulations including building and fire prevention codes. Compliance shall be achieved within sixty (60) days of approval of this permit.
5. Existing access onto McCoy Road shall be removed and ditching and shoulder restored to VDOT specifications within thirty (30) days of approval of this permit.

The property is located at 4612 Riverside Drive and is identified as Tax Parcel No. 50-A-26 & 27A (Acct ID # 018171, 024025) in the Prices Fork Magisterial District. The property currently lies in an area designated as Rural in the Comprehensive Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Steve L. Spradlin	
Gary D. Creed	

R-FY-05-242
AMENDED RESOLUTION
REVENUE SHARING PROGRAM
FY 2005-2006

On a motion by Annette S. Perkins, seconded by Doug Marrs and carried unanimously,

WHEREAS, The “Revenue Sharing Program” allows the Virginia Department of Transportation (VDoT) to provide state funds to match local funds for the construction, maintenance or improvement of primary and secondary highways; and

WHEREAS, The Commonwealth Transportation Board annually appropriates funds for the purpose; and

WHEREAS, Localities who wish to participate in this program must notify VDoT of its intent to participate in the “Revenue Sharing Program” and the amount of local funds to be provided, not to exceed \$1,000,000; and

WHEREAS, By resolution dated March 14, 2005 the Board of Supervisors authorized the County Administrator to submit a letter of intent to participate in the “Revenue Sharing Program” and agreed to provide \$251,500 for this program, to be taken from the General Fund for the fiscal year ending June 30, 2006 and be matched on a dollar-for-dollar basis from funds of the Commonwealth of Virginia; and

WHEREAS, A letter of intent was submitted to the Virginia Department of Transportation on March 1, 2005 indicating Montgomery County’s commitment to contributing \$151,500 for FY 2005-2006 Revenue Sharing Program and advising the Board would consider including another road in the FY 06 Revenue Sharing Program for an additional cost estimated at \$200,000 at the Board’s March 14, 2005 meeting; and

WHEREAS, By resolution dated March 14, 2005 the Board of Supervisors authorized the County Administrator to submit a letter of intent to participate in the “Revenue Sharing Program” and would provide \$251,500 for this program, to be taken from the General Fund for the fiscal year ending June 30, 2006 and to be matched on a dollar-for-dollar basis from funds of the Commonwealth of Virginia; and

WHEREAS, The Board of Supervisors hereby amends the resolution dated March 14, 2005 and authorizes an amount up to \$500,000 for the Revenue Sharing Program to be taken from the General Fund for the fiscal year ending June 30, 2006 and to be matched on a dollar for dollar basis from funds of the Commonwealth of Virginia; and

WHEREAS, \$500,000 of these funds are requested to fund the following projects:

1. Big Vein Road (P) Right-of-Way,
Road Widening and Paved \$ 73,000

2. Fisher's View Road (SR 600) Improvement to Upper End of Road	\$125,000
3. Mt. Zion Road (SR 655) Improve Sight Distance at 3298 Mt. Zion Road	\$20,000
4. Yellow Sulphur Road (SR 643) Portion of the Project as Listed on the 6-Year Secondary Road Improvement Plan (Priority #8)	\$85,000
5. Barn Road (SR 627) Realign Road and Improve the Grade to Meet a 35 mph Design Speed	\$200,000
6. County Wide Paving	\$497,000
Total Estimated Project Costs:	\$1,000,000

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby supports this application for an allocation of \$500,000 through the Virginia Department of Transportation Revenue Sharing Program.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
Gary D. Creed	

R-FY-05-243
MONTGOMERY COUNTY
SCHOOL BOARD
YEAR END PURCHASE ORDER BALANCE POLICY

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

WHEREAS, The Montgomery County Board of Supervisors is responsible for the appropriation of funds for the annual budget for Montgomery County Public Schools; and

WHEREAS, The Montgomery County School Board is responsible to insure that funds are expended to meet the educational needs of Montgomery County Public Schools and that the expenditure of all funds is reported and accounted for in accordance with Federal and State laws

and regulations, Montgomery County Board of Supervisors' policies and procedures, and Montgomery County School Board's policies and procedures; and

WHEREAS, The use of purchase orders approved by designated authorized individuals is an encumbrance of funds and an obligation to pay for goods and services when received; and

WHEREAS, School Operating budget funds that have not been expended by June 30th but support approved purchase orders should be re-appropriated to the following fiscal year to allow for the receipt of the goods or services prior to payment.

NOW, THEREFORE BE IT RESOLVED By the Board of Supervisors of Montgomery County, Virginia that funds available as of June 30 each year that have been encumbered through purchase orders but have not been spent because the goods or services have not been delivered by the vendor will be re-appropriated in the next fiscal year to allow payments after the receipt of the goods.

The vote on the foregoing resolution was as follows:

AYE

John A. Muffo
Mary W. Biggs
Doug Marrs
Steve L. Spradlin
Annette S. Perkins
James D. Politis
Gary D. Creed

NAY

None

**A-FY-06-01
FISCAL YEAR 2005-2006
BUDGET APPROPRIATION**

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the following appropriation for the fiscal year ending June 30, 2006 be and the same is hereby made effective July 1, 2005 for the organizations listed below.

BE IT FURTHER RESOLVED, The Treasurer is hereby authorized to make the necessary transfers between funds as required to keep expenditure account appropriated by the Board of Supervisors and revenue estimates approved by the Board of Supervisors in balance by Fund.

BE IT FURTHER RESOLVED, The Treasurer is hereby authorized to make the necessary wire transfer, as appropriate.

EXPENDITURE ACCOUNTS TO BE APPROPRIATED

GENERAL FUND

100	Board of Supervisors	\$ 196,693
110	County Administration	1,037,693
120	County Attorney	222,126
130	Financial and Management Services	684,819
132	Insurance	146,884
140	Information Management Services	819,819
150	Commissioner of Revenue	500,269
152	Assessment - 100% County	408,267
160	Treasurer	487,308
162	Collections - 100% County	429,744
170	Registrar	276,709
180	Internal Services	259,901
200	Commonwealth Attorney	578,984
210	Circuit Court	142,190
220	General District Court	22,216
230	Juvenile and Domestic Relations Court	11,637
240	Magistrate	5,900
250	Circuit Court Clerk - 100% County	513,354
310	Sheriff-Co/State Support	6,027,924
320	Sheriff-County Support	1,003,578
330	Fire and Rescue	685,115
400	General Services	4,068,782
510	Comprehensive Services Act	1,283,080
520	Human Services	383,407
530	Public Health	378,291
540	Social Services	4,586,166
700	Parks and Recreation	594,035
710	Regional Library	1,639,398
800	Planning and Inspections	534,828
810	Economic Development	344,677
900	Revenue Refunds	164,106
910	Other Agencies	999,834
960	Contingencies - Special	321,166
990	Adjustments for Internal Services	(91,700)
	TOTAL GENERAL FUND	\$ 29,667,200

LAW LIBRARY FUND

290	Law Library	\$	17,600
-----	-------------	----	--------

600 SCHOOL OPERATING FUND

610	Instruction	61,689,759
620	Administration, Attendance, and Health	3,247,494
630	Pupil Transportation	3,516,184
640	Operations and Maintenance	10,579,511
650	Other Non-Instructional Operations	33,343
	TOTAL SCHOOL OPERATING FUND	\$ 79,066,291

651	SCHOOL CAFETERIA FUND	\$ 3,102,649
-----	------------------------------	---------------------

920	DEBT SERVICE FUND	\$ 11,004,847
-----	--------------------------	----------------------

GRAND TOTAL EXPENDITURES	\$ 122,858,587
---------------------------------	-----------------------

The source of funds for the foregoing appropriation is as follows:

ESTIMATED RESOURCES**GENERAL FUND**

A.	REVENUE	
	General Property Taxes	\$ 46,955,633
	Other Local Taxes	9,238,366
	Other Undesignated Revenue	1,373,152
	Resources Designated by Department	13,048,786
	Subtotal	\$ 70,615,937

B.	OTHER	
	Use of Fund Balance	917,651
	Transfers to School Operating Fund:	(31,080,829)
	Transfers to Debt Service Fund	(10,785,559)
	Subtotal	\$ (40,948,737)

TOTAL GENERAL FUND RESOURCES:	\$ 29,667,200
--------------------------------------	----------------------

LAW LIBRARY FUND

A.	REVENUE	\$	15,000
B.	USE OF FUND BALANCE		<u>2,600</u>

TOTAL LAW LIBRARY FUND RESOURCES	\$	17,600
---------------------------------------------	-----------	---------------

SCHOOL OPERATING FUND

A.	REVENUE	\$	47,985,462
B.	TRANSFER FROM GENERAL FUND		<u>31,080,829</u>

TOTAL SCHOOL OPERATING FUND	\$	79,066,291
----------------------------------------	-----------	-------------------

SCHOOL CAFETERIA FUND RESOURCES	\$	3,102,649
----------------------------------------	-----------	------------------

DEBT SERVICE FUND

A.	REVENUE	\$	219,288
B.	TRANSFER FROM GENERAL FUND		<u>10,785,559</u>

TOTAL SCHOOL OPERATING FUND	\$	11,004,847
----------------------------------------	-----------	-------------------

GRAND TOTAL ALL RESOURCES	\$	122,858,587
--------------------------------------	-----------	--------------------

Said resolution allocates to individual county divisions the funds set aside in Special Contingencies to cover the cost of the County's Compensation and Classification Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Gary D. Creed	

Supervisor Biggs and Supervisor Perkins stated as employees of Montgomery County Public Schools they do not have a conflict of interest as the school board budget is appropriated in its entirety and the School Board is responsible for appropriating funds to each school division.

A-FY-06-03
SCHOOL OPERATING FUND
RINER CANNERY

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund is granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006 for the function and in the amount as follows:

650000	Non- Instruction	\$16,228
--------	------------------	----------

The source of funds for the foregoing appropriation is as follows:

Revenue Account

451100	Transfer from General Fund	\$16,228
--------	----------------------------	----------

FURTHER BE IT RESOLVED, By the Board of Supervisors that the General Fund is granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006 for the function and in the amount as follows:

451200	Transfer to School Operating Fund	\$16,228
--------	-----------------------------------	----------

The source of funds for the foregoing appropriation is as follows:

451203	Undesignated Fund Balance	\$16,228
--------	---------------------------	----------

Said resolution provides the appropriation necessary for the School Board to operate the Riner Cannery for one year.

FURTHER, BE IT RESOLVED, That should additional equipment repair be required this season, the County agrees to consider to cover the cost of the necessary repairs.

FURTHER, BE IT RESOLVED, The Board of Supervisors hereby directs the County Administrator to contact the necessary agency to make an inspection of the cannery prior to use for the FY 05-06 season.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Gary D. Creed	

R-FY-05-244
AN AGREEMENT FOR THE UTILIZATION OF
METROPOLITAN PLANNING FUNDS FOR THE
BLACKSBURG/CHRISTIANSBURG/ MONTGOMERY
AREA (MPO)

On a motion by Doug Marrs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby enters into an agreement with the Commonwealth of Virginia, Department of Transportation, for the Utilization of Metropolitan Planning Funds in the Blacksburg/Christiansburg/Montgomery Area.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby authorizes B. Clayton Goodman, III, County Administrator, to sign said agreement on behalf of the Board of Supervisors.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Annette S. Perkins	
John A. Muffo	
Mary W. Biggs	
James D. Politis	
Doug Marrs	
Gary D. Creed	

COUNTY ATTORNEY'S REPORT

Industrial Development Authority – Virginia Tech Foundation – Issuance of Bonds The County Attorney reported that the IDA received a request from the VT Foundation for an issuance of bonds in the amount of \$52 million. VT Foundation would like to refinance \$32 million and are asking \$20 million for new projects as follows:

1. Knowledge Works Building
2. Multi-use Office Building at the new Alumni Center
3. Office Building at the Smart Road Transportation Institute

The IDA has scheduled a public hearing for August 16, 2005 on the request. The County Attorney explained that neither the IDA nor the County would be responsible for any debt from the issuance of these bonds.

Attorney General's Opinion – Compliance with Section 33.1-72.1 of the Code of Virginia, County Subdivision Ordinance The County Attorney requested authorization to seek the Attorney General's opinion on VDOT's ruling that Montgomery County is not in compliance with the State's subdivision ordinance regarding private streets.

It was the consensus of the Board for the County Attorney to seek the Attorney General's opinion on the above matter.

COUNTY ADMINISTRATOR'S REPORT

Courthouse Fees The County Administrator reported that the current courthouse maintenance fee is \$2.00. The State Code allows \$2 for the courthouse maintenance fee and \$2 for the Law Library Fee. The Board of Supervisors did request authorization from the General Assembly to increase the courthouse maintenance fee in the 2005 General Assembly Session but the bill was defeated. The cost of maintenance and custodial services for the existing courthouse totals \$754,736. The cost of both of these services for the new courthouse is estimated at \$1.2 million annually. Revenue from maintenance fees to offset these costs is \$56,000 or 2% of the cost, leaving 98% of the cost to be borne by all taxpayers.

The County Administrator stated that a resolution to reaffirm the Board's request to the General Assembly to increase the courthouse maintenance fee from \$2.00 to \$10.00 will be on the Board's June 27, 2005 agenda.

BOARD MEMBERS' REPORT

Supervisor Spradlin – AAU Basketball – NRV Comets – Supervisor Spradlin requested additional information regarding the NRV Comets request for a donation. He asked if the County has contributed to any similar groups in the past.

Closed Meetings – Supervisor Spradlin requested the County Administrator to review the citizen's request for the Board of Supervisors to hold their closed meeting earlier in the meeting. He agrees that the citizens would perceive this better.

Prices Fork Elementary Fifth Grade Graduation – Supervisor Spradlin attended the Fifth Grade Graduation at Prices Fork Elementary.

Supervisor Biggs distributed information from the School Board meeting to be included in the Friday Report.

Virginia's First Regional Industrial Facility Authority The Authority has agreed the Commerce Park plan need to be revisited and an analysis needs to be done. The Commerce Park was created to provide a 75 acre parcel industrial park for industries needing a large site.

Supervisor Politis asked the status of the Christiansburg Rescue Satellite Station in Riner. He received an email stating the building would not be constructed until 2007. The County Administrator reported that the preliminary design has been completed. The Christiansburg Rescue Squad is just starting their fundraising campaign for the new satellite station. No funding has been appropriated in the FY 05-06 capital budget for this project.

Department of Social Services - DSS is moving forward with joining the County's compensation and classification plan. A draft memorandum of understanding is being reviewed and will be available for Board of Supervisors approval at the June 27, 2005 meeting. DSS also submitted a request to the State for their permission to join the County's plan.

Supervisor Perkins attended the Blacksburg High School and the Christiansburg High School graduations. She was not available to attend Auburn High School or Eastern Montgomery High School graduations. She reported that Blacksburg High School seniors received a total of \$982,000 in scholarships, with one student receiving a total of \$200,000. Christiansburg High School seniors received a total of \$300,000 in scholarships. She stated that everyone should be proud of the students and administration for a fine school year.

INTO CLOSED MEETING

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711
- (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
 1. Community College Board (New River Valley)
 2. Community Services Board
 3. Industrial Development Authority
 4. Montgomery-Floyd Regional Library Board
 5. County Personnel
 - (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body
 1. Expansion of Montgomery County Government Center
 2. School Property Expansion – Cambria Street
 3. Old Blacksburg Middle School Property

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
John A. Muffo	
James D. Politis	
Doug Marrs	
Mary W. Biggs	
Steve L. Spradlin	
Gary D. Creed	

OUT OF CLOSED MEETING

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Gary D. Creed	

EXTENSION OF MEETING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously, the Board of Supervisors hereby extends their meeting for thirty minutes.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Gary D. Creed	

INTO CLOSED MEETING

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711 (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
1. Community College Board (New River Valley)
 2. Community Services Board
 3. Industrial Development Authority
 4. Montgomery-Floyd Regional Library Board
 5. County Personnel

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body
1. Expansion of Montgomery County Government Center
 2. School Property Expansion – Cambria Street
 3. Old Blacksburg Middle School Property

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
James D. Politis	
Doug Marrs	
Mary W. Biggs	
Steve L. Spradlin	
Annette S. Perkins	
Gary D. Creed	

OUT OF CLOSED MEETING

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Gary D. Creed	

CERTIFICATION OF CLOSED MEETING

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Annette S. Perkins
James D. Politis
John A. Muffo
Mary W. Biggs
Doug Marrs
Steve L. Spradlin
Gary D. Creed

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

OTHER BUSINESS

R-FY-05-245 RESOLUTION TO RECLASSIFY THE MANAGEMENT ANALYST POSITION TO A BUDGET MANAGER POSITION

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that effective July 1, 2005 the Management Analyst position will be reclassified to a Budget Manager position as listed in the FY 2005-2006 Compensation and Classification Plan.

The vote on the foregoing resolution was as follows:

AYE

Mary W. Biggs

Doug Marrs

John A. Muffo

James D. Politis

Steve L. Spradlin

Annette S. Perkins

Gary D. Creed

NAY

None

**R-FY-05-246
APPOINTMENT
NEW RIVER COMMUNITY COLLEGE BOARD**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **James F. Johnson** to the New River Community College Board effective July 1, 2005 and expiring June 30, 2009.

The vote on the foregoing resolution was as follows:

AYE

Mary W. Biggs

Doug Marrs

John A. Muffo

James D. Politis

Annette S. Perkins

Steve L. Spradlin

Gary D. Creed

NAY

None

**R-FY-05-247
APPOINTMENT
INDUSTRIAL DEVELOPMENT AUTHORITY**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Todd Murray** to the Industrial Development Authority effective June 15, 2005 and ending February 24, 2007.

Said appointment fills the unexpired term of John Phillips, resigned.

The vote on the foregoing resolution was as follows:

AYE

Mary W. Biggs

Doug Marrs

John A. Muffo

James D. Politis

Annette S. Perkins

Steve L. Spradlin

Gary D. Creed

NAY

None

**R-FY-05-248
APPOINTMENT
MONTGOMERY-FLOYD REGIONAL LIBRARY BOARD**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Robert E. Benoit** to the Montgomery-Floyd Regional Library Board effective July 1, 2005 and expiring June 30, 2009.

The vote on the foregoing resolution was as follows:

AYE

Mary W. Biggs

Doug Marrs

John A. Muffo

James D. Politis

Annette S. Perkins

Steve L. Spradlin

Gary D. Creed

NAY

None

ADJOURNMENT

On a motion by John A. Muffo, seconded by James D. Politis and carried unanimously, the Board adjourned to Monday, June 27, 2005 at 7:15 p.m.

The vote on the foregoing motion was as follows:

AYE

James D. Politis
Annette S. Perkins
Steve L. Spradlin
Mary W. Biggs
Doug Marrs
John A. Muffo
Gary D. Creed

NAY

None

The Board adjourned at 11:50 p.m.

APPROVED: _____ ATTEST: _____
Gary D. Creed B. Clayton Goodman, III
Chair County Administrator